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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAROLYN E. JONES,
Plaintiff

v.

WILLIAM A. MASON, CHIEF
OF POLICE, HARWICH POLICE
DEPARTMENT, and TOWN OF
HARWICH,
Defendants

Case No. _____

(Docketed at Barnstable
County Superior Court,
Commonwealth of Mass.,
as BACV2003-00744-A)

MAGISTRATE JUDGE Collings

NOTICE OF REMOVAL UNDER 28 U.S.C. § 1446

Pursuant to 28 U.S.C. §§ 1441 and 1446, the
defendants, Town of Harwich and William A. Mason,
Chief of the Harwich Police Department, file this
notice to remove a civil action from the Barnstable
County Superior Court, Commonwealth of Massachusetts,
to the United States District Court for the District
of Massachusetts. In support of this notice the
defendant states that:

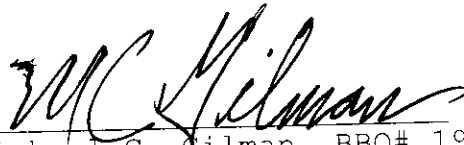
- 1.) The above-captioned action was commenced
by the plaintiff, Carolyn E. Jones, in the
Superior Court Department of the Trial
Court, Barnstable County, Commonwealth of
Massachusetts, and is now pending in that
court. Appendix One at 1.

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- 2.) Process was served on the Town on December 22, 2003. Ibid.
- 3.) The plaintiff's complaint alleges violations of a federal statute, 42 U.S.C. §1983, and three state statutes, M.G.L. c. 151B, M.G.L. c.41, §111F, and M.G.L. c.12, §11I. App. One at 7-8.
- 4.) The court has subject matter jurisdiction over the plaintiff's federal claim under 28 U.S.C. §1331 and over the plaintiff's state law claims under 28 U.S.C. §1367.
- 5.) The action may, therefore, be removed to this Court pursuant to 28 U.S.C. § 1441.
- 6.) Copies of the process, pleadings, and other papers served upon the defendant are attached. App. One at 1-10.

WHEREFORE, the defendants respectfully ask that the plaintiff's civil action in the Barnstable County Superior Court, Commonwealth of Massachusetts, be discontinued and that the claim be removed to this Court.

Respectfully submitted,
The Town of Harwich and
William A. Mason, Chief of
The Harwich Police Department,
By their attorneys,



Michael C. Gilman, BBO# 192820
Eugene J. Sullivan III,
BBO # 656497
GILMAN/ HOLTZ, P.C.
25 New Chardon Street
Boston, MA 02114
(617) 720-2663

Dated: *Jan 20, 2004*

Certificate of Service

I hereby certify that a true copy of the above
document was served upon the attorney of record for
each other party by mail.

Dated:

Jan. 20, 2004



Michael C. Gilman